

## 5.0 THE COLLABORATIVE PLANNING PROCESS

Throughout this planning process, the BLM has strived to create as open a planning process as possible, such that opportunities for public input are not be limited to the minimum requirements set by the BLM planning regulations and National Environmental Policy Act of 1969 (NEPA). This planning process has also been deliberately designed to engage and involve local government, state agencies, other federal agencies, and Indian tribes to a very high level.

### 5.1 Public Participation

A Notice of Intent (NOI) to prepare a California Desert Conservation Area Plan Amendment, a trails management plan in association with the Coachella Valley Multi-Species Habitat Conservation Plan, and an environmental impact statement was published in the *Federal Register* June 28, 2000 (pages 39920-39922). Public scoping meetings were held on July 10, 11, and 12, 2000 in the cities of Cathedral City, Rancho Mirage and La Quinta.

Since then, there have been numerous public meetings to discuss development of the Coachella Valley CDCA Plan Amendment, including monthly public meetings held the fourth Thursday of every month at either the local BLM office or the Coachella Valley Association of Government's conference room from 9:00 a.m. to 12 noon. These monthly public meetings, called the Policy Action Group meetings, are being conducted as part of the overall Coachella Valley Multi-Species Habitat Conservation Plan planning effort, to which BLM is a partner. The Policy Action Group meetings are regularly attended by representatives of local jurisdictions, Native American Tribes, State and Federal government agencies, private interest groups and private citizens.

An addendum to the original notice of intent was published in the *Federal Register* on April 12, 2002 (pages 18022-18023), which presented draft planning criteria for public review and formally closed the public scoping period 30-days hence, on Monday, May 13, 2002.

This Draft CDCA Plan Amendment, draft Santa Rosa and San Jacinto Mountains Trails Management Plan, and draft environmental impact statement (EIS) are available for a 90-day public review period, beginning the date of publication of notice in the *Federal Register* by the Environmental Protection Agency. The initial distribution list of local, state and federal government and private entities receiving copies of this document is presented in Appendix A. A news release announcing the availability of the draft plans and draft EIS with instructions of how to obtain a copy was mailed to over 600 individuals, private interest groups and governmental agencies. This document is also available for public viewing at the following internet site: [www.ca.blm.gov/palmsprings/](http://www.ca.blm.gov/palmsprings/).

During the public review period, three public meetings will be held to gather oral comments. Comments received will be incorporated into the Proposed CDCA Plan Amendment, Final Trails Management Plan and Final EIS, including names and street addresses of respondents. Individual respondents may request confidentiality, and must state this prominently at the beginning of their comments. Such requests will be

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honored to the extent allowed by law. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public review in their entirety.

Upon publication, the Proposed CDCA Plan Amendment will be available for a 30-day protest period. Adversely affected entities and persons who previously participated in the planning process may file protests to the Director in accordance with 43 CFR 1610.5-2. Land use plan decisions are not appealable to the Interior Board of Land Appeals, and are not subject to regulations at 43 CFR Part 4.4. Upon resolution of any protests, the BLM Director then renders a final decision on the protest. The CDCA Plan Amendment becomes effective when the California BLM State Director signs the Record of Decision for the CDCA Plan Amendment.

The Final Santa Rosa and San Jacinto Mountains Trails Management Plan is being released at the same time as the as the Proposed CDCA Plan Amendment and Final EIS. The trails management plan is not protestable in accordance with 43 CFR 1610.5-2. Instead, adversely affected parties may appeal the Field Manager's decision to the Interior Board of Land Appeals in accordance with 43 CFR Part 4.4, upon issuance of a separate Record of Decision for the Santa Rosa and San Jacinto Mountains Trails Management Plan.

While the local jurisdictions continue to work out the Coachella Valley Multi-Species Habitat Conservation Plan (CVMSHCP) reserve system boundaries and implementation mechanisms for the CVMSHCP with the US Fish and Wildlife Service (USFWS) and the California Department of Fish and Game (CDFG), the BLM is proceeding with the Coachella Valley CDCA Plan Amendment to meet its own commitments to complete the plan by December 31, 2002. Decisions related to the day-to-day management of the CVMSHCP reserve for which BLM has management responsibility will continue to be developed through the CVMSHCP process. Upon completion of the CVMSHCP, BLM may adopt management actions in the plan that may apply to BLM-managed public lands as an activity (implementation) level plan.

### **5.2 Coordination with Local Jurisdictions**

The development of this CDCA Plan Amendment was conducted in coordination with the cities of the Coachella Valley, Riverside County, the Coachella Valley Association of Governments, the Coachella Valley Mountains Conservancy, and the Agua Caliente Band of Cahuilla Indians (who are also preparing a Habitat Conservation Plan).

Traditionally, plans for federal, state and local jurisdictions to address the conflicts between urbanization and protection of the Coachella Valley environment would have been addressed separately. The jurisdiction-by-jurisdiction and project-by-project approach, can result in fragmented habitat and increased costs in delivering on community needs.

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In September 1994, the Coachella Valley Association of Governments, representing the County of Riverside and the nine incorporated cities of the region, took the lead in developing a landscape-level conservation plan. The goal of the plan is to preserve habitat adequate to ensure long-term survival of the valley's unique habitat and natural communities. The plan area covers about 1.2 million acres, of which BLM administers about 280,000 acres. Sixty percent of the lands within the Coachella Valley are in private ownership, with the remaining lands under the jurisdiction of the Bureau of Land Management (BLM), National Park Service (NPS), U.S. Fish and Wildlife Service (FWS), the California Department of Fish and Game (CDF&G), the U.S. Forest Service and various native American tribes such as the Agua Caliente Band of Indians.

In 1996, BLM signed a Memorandum of Understanding (MOU) for preparation of the Plan together with six state, federal and county agencies and nine cities. A community-wide workshop on conservation planning was held in November, 1996 to introduce the multi-species habitat conservation planning concept to the Coachella Valley. Numerous public meetings and workshops have been held since then, gathering public input towards development of the CVMSHCP and CDCA Plan Amendment.

As a federal partner and participant in the locally managed Habitat Conservation (HCP) and Natural Communities Conservation (NCCP) planning process, BLM agreed to the following conservation planning goals of the Plan, which are:

- Represent native ecosystem types or natural communities across their natural range of variation in a system of conserved areas.
- Maintain or restore viable populations of the species included in the Plan so that incidental take permits can be obtained for currently listed species and unlisted species can be covered in case they are listed in the future.
- Sustain ecological and evolutionary processes necessary to maintain the viability of the natural communities and habitats for the species included in the Plan.
- Manage the system adaptively to be responsive to short-term and long-term environmental change and to maintain the evolutionary potential of lineages.

The Coachella Valley Mountains Conservancy (CVMC) and Coachella Valley Association of Governments were responsible for preparation of the non-federal lands portion of the Plan, while BLM prepared its plan amendment to coincide with, and support, the overall planning effort. All the parties worked closely with a Science Advisory Committee (SAC) and BLM biologists participated directly in the SAC on discussions that related to public land resources. The Geographic Information System (GIS) work was performed by a GIS Team consisting of a BLM GIS specialist, CVMC staff, and Riverside County GIS staff. The interagency planning process with local governments consisted of the twelve steps describe below.

- (1) Determine the species and natural communities to be included in the Plan.
- (2) Gather information on the species and natural communities.
- (3) Prepare accounts of individual species and natural communities.
- (4) Gather other pertinent information, such as topography, natural features, road network, jurisdiction boundaries, parcel configuration, current land uses and projected land uses.

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- (5) Prepare a Natural Communities Map.
- (6) Analyze biological resource information to map species distribution.
- (7) Develop Site Identification Maps to delineate areas of highest biological resource value.
- (8) Delineate core habitat areas, ecological process areas, and linkages and wildlife movement corridors.
- (9) Develop conservation alternatives.
- (10) Develop and apply criteria for evaluating the conservation alternatives.
- (11) Scientific Review Panel and Agency Response to the Conservation Alternatives, *and Development of a SAC Recommendation*.
- (12) Development of a Preferred Alternative.

BLM has met numerous times with local jurisdictions, including Riverside County and Coachella Valley cities, to discern their interests and needs. Sometimes meetings were within the framework of the regularly scheduled monthly planning meetings; sometimes they were meetings with an individual city or centered around a group of jurisdictions with common interest in an individual issue.

### **5.3 Consultation and Coordination with Tribal Governments**

The Federal Land Policy and Management Act of 1976 requires the Bureau of Land Management to coordinate with Indian Tribes on land use planning. Consultation on a government-to-government basis with Indian Tribes is also directed by the National Environmental Policy Act of 1969, the National Historic Preservation Act of 1966 (as amended), and Executive Order 13007.

Government-to-government consultation was initiated by letter in November of 2000. This letter introduced the need for and intent of the planning process and invited Native American comment and participation in the planning process. The Agua Caliente Band of Cahuilla Indians, Augustine Band of Mission Indians, Cabazon Band of Mission Indians, Morongo Band of Mission Indians, Santa Rosa Band of Mission Indians, Torres-Martinez Band of Desert Cahuilla Indians, and Twenty-Nine Palms Band of Mission Indians were contacted. Follow-up discussions occurred with staff members of the Agua Caliente and Morongo Bands. The Agua Caliente Band of Cahuilla Indians is actively engaged in a similar land use planning process which parallels BLM's own efforts.

In March of 2002, as the planning document evolved and potential land management actions became more clearly defined, a second letter was sent to update tribes and to continue government-to-government consultation. This letter outlined potential effects to cultural resources and solicited comments related to cultural resources or areas of traditional cultural importance. This second letter was sent to the following Tribes: Agua Caliente Band of Cahuilla Indians, Augustine Band of Mission Indians, Cabazon Band of Mission Indians, Cahuilla Band of Indians, Colorado River Indian Tribes, Fort Mojave Indian Tribe, Los Coyotes Band of Indians, Morongo Band of Mission Indians, Ramona Band of Mission Indians, Santa Rosa Band of Mission Indians, Torres-Martinez Band of Desert Cahuilla Indians, and Twenty-Nine Palms Band of Mission Indians. Follow-up

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discussions were conducted with representatives of the Augustine, Morongo, and Fort Mojave groups. The Bureau of Land Management also requested a record search of the sacred lands files of the Native American Heritage Commission.

Given their parallel planning effort and the inter-related nature of some decisions, BLM met regularly with the tribal council and staff of the Agua Caliente Band of Cahuilla Indians to coordinate planning alternatives, proposals and analysis. Specific areas of coordination included management of the Santa Rosa and San Jacinto Mountains National Monument, management of cultural resources, control of exotic plants (e.g. tamarisk), and the status of wild horses in Palm Canyon.

### **5.4 Consultation with State and Federal Agencies**

BLM has informally consulted with the US Fish and Wildlife Service and the California Department of Fish and Game, both as part of the interagency (CVAG) planning process and in direct meetings. Consultation has been ongoing since 1996 as the Draft CDCA Plan Amendment/ EIS was being developed in coordination with the Coachella Valley Multiple Species Habitat Conservation Plan. As an interim measure, BLM initiated formal consultation on January 31, 2001 on the current land use plan level decisions and measures affecting the planning area. The interim consultation included temporary management measures initiated pending completion of the plan amendment.

BLM initiated formal consultation with the U.S. Fish and Wildlife Service in June 2002 under Section 7 of the Endangered Species Act on the portions of the California Desert Conservation Area plan affecting the planning area in combination with the currently proposed plan amendment. The purpose of consultation is to insure that the combined effect of federal actions authorized under the land use plan is not likely to jeopardize the continued existence of any endangered or threatened species, or result in the adverse modification of critical habitat of such species. The formal consultation process will be completed upon issuance of a Biological Opinion by the USFWS.

BLM is also in consultation with the California State Historic Preservation Officer (SHPO) under the 1998 State Protocol Agreement between the California State Director of the Bureau of Land Management (BLM) and the California State Historic Preservation Office. The protocol requires that the BLM invite SHPO participation in land use plans in order to provide opportunity 1) to identify issues that should be addressed in the proposed plan and 2) to comment on any proposed cultural resource use allocations. BLM also submits draft and final land use plans to SHPO for review and comment. An early notification and invitation to participate in identification of issues was submitted to the SHPO's office in September of 2001. BLM also met with the State Historic Preservation Officer in Sacramento in February 2002 to facilitate consensus between the agencies on the approach taken to address cultural resources under the plan amendment. During the meeting, BLM briefed the SHPO staff on the planning effort and presented a proposal for completing field inventory in support of the planning effort. This proposal was submitted formally for SHPO review on March 25, 2002.

## **5.5 Development of Trails Management Plan Alternatives**

Numerous public working group meetings were held to help develop the trails management plan for the Santa Rosa and San Jacinto Mountains. Most of these meetings have also been held in partnership with the Coachella Valley Multi-Species Habitat Conservation Plan team, in order to provide the public “one-stop shopping” planning participation, and to support and reinforce the cross-jurisdiction approach to planning for the Coachella Valley.

In response to the ESA listing of the bighorn sheep in the peninsular ranges, and in recognition that the potential for conflicts between trail uses and bighorn sheep habitat use could be controversial, BLM sponsored a facilitated public workshop called “Trails, Bighorn Sheep & You” at the Living Desert in Palm Desert on the evening of June 24, 1999. As an outcome of the workshop, the Coachella Valley Mountains Conservancy and BLM then facilitated a series of open meetings commonly known as the Sheep and Trails Working Group.

Thirteen Working Group meetings were held between August 19, 1999 and November 8, 2001 with attendance from trail user groups, local jurisdictions, California Department of Fish and Game, U.S. Fish and Wildlife Service, U.S. Forest Service, Coachella Valley Association of Governments, the Agua Caliente Band of Cahuilla Indians and various interest groups including the Sierra Club and the Building Industry Association. Meetings were held in the evening to make it easier for the public to attend. The purpose was to explore alternatives that could meet the goals of supporting recovery of sheep populations and providing reasonable opportunities for recreation.

Early in the facilitated process, BLM also sponsored a televised forum at Palm Springs City Hall which included presentations on bighorn sheep biology and the opportunity for the public to ask questions of the biologists present. Sub-groups of the working group also formed to look at new trails, especially peripheral trails in the Santa Rosa Mountains, and brought ideas and proposals back to BLM. Many of these efforts also included field visits.

BLM, in cooperation with Coachella Valley Association of Governments and Coachella Valley Mountains Conservancy, also strongly emphasized trails issues at the scoping meeting held on July 11, 2000 at Cathedral City Council Chambers.

Together with the public participation, BLM conducted a focused effort to gather input from sheep biologists, many of whom could not attend the working group meetings. The intent was to define, to the degree possible, which biological concepts were supported by peer reviewed studies, by “gray” literature (e.g. analysis and argumentation in journals), by widely shared, expert opinion, or by an untested hypothesis or opinion. This then could be matched to available facts regarding sheep populations within the planning area.

In addition to being represented by a biologist or manager at Recovery Team meetings where trails alternatives under discussion were periodically presented, BLM also held a

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joint meeting with the Recovery Team at University of California at Davis September 28-29, 2000 to review the status of the bighorn sheep science as it related to trail use. Sheep biologists beyond those who were on the Recovery Team were also invited to the meeting and several attended. A draft literature review related to sheep and trails was reviewed and edited.

BLM then held individual meetings or discussions with sheep biologists in the peer reviewed literature who could not attend the meeting but wanted to contribute their ideas concerning bighorn sheep and trails. An additional draft of the "Status of the Science" was made available to all those who contributed during the editing process (via internet) as a check on the accuracy of the literature citations and representations. The final "Status of the Science" document was then placed on BLM's web page for public review and use and continues to be available at <http://www.ca.blm.gov/palmsprings/whcbighorn.html>.

The combined result of these working group and science review processes was a set of four alternatives, which BLM then refined with each of the jurisdictions having a management or consultation role relative to the Trails Management Plan. While BLM's role in the Trails Management Plan primarily relates to public lands, land ownership and jurisdiction in the Santa Rosa and San Jacinto Mountains require a shared commitment from the cities adjacent to the mountains, Riverside County, State agencies and the Forest Service if the trails are to be managed as a system.

### **5.5 List of Preparers**

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